

LOIS YARKAN
(Full name under which convicted)
PETITIONER

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

2017CM000101

DePage County Court.

I have not been convicted

known)
Deceptive Practices, Deceptive Practices, Fugitive from
Justice - Richmond, VA and Fugitive from Justice - Chesterfield, VA

Sentence(s) imposed:
I have not been convicted

What was your plea? (Check one) ☒ Not guilty ☐ Guilty
If you pleaded guilty to one count or indictment and not guilty to another count or indictment, give details:

1

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

PART I – TRIAL AND DIRECT REVIEW

1. Kind of trial: (Check one): ☒ Jury ☐ Judge only
 2. Did you testify at trial? ☐ YES ☒ NO
 3. Did you appeal from the conviction or the sentence imposed? ☒ YES ☐ NO

(A) If you appealed, give the

(1) Name of court: 2nd Appellate Court

(2) Result: Dismiss/Denied

(3) Date of ruling: unknown

(4) Issues raised: Right to a speedy trial, double jeopardy,
right against unlawful search/seizure, right to
bail/against excessive bail, right against discrimination/
retaliation, right against cruel and unusual punishment

(B) If you did not appeal, explain briefly why not: Even though I have not

been convicted, I appealed pre-trial motions

4. Did you appeal, or seek leave to appeal, to the highest state court? ☒ YES ☐ NO

(A) If yes, give the

(1) Result: Dismissed/Denied

(2) Date of ruling: unknown

(3) Issues raised: Right to a speedy trial, double jeopardy,
right against unlawful search/seizure, right to
bail/against excessive bail, right against discrimination/
retaliation, right against cruel and unusual punishment

(B) If you did not appeal, explain briefly why not: Even though I have not

been convicted, I appealed pre-trial motions

5. Did you petition the United States Supreme Court for a writ of *certiorari*?
☐ YES ☒ NO

If yes, give date of petition: N/A

Date *certiorari* was denied: N/A

PROCEEDINGS

PART II – COLLATERAL

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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1. With respect to this conviction or sentence, have you filed a post-conviction petition in state court?

☐ YES ☒ NO

With respect to *each* post-conviction petition give the following information (use additional sheets if necessary):

A. Name of court: N/A

B. Date of filing: N/A

C. Issues raised: N/A

D. Did you receive an evidentiary hearing on your petition? ☐ YES ☒ NO

E. What was the court's ruling? N/A

F. Date of court's ruling: N/A

G. Did you appeal from the ruling on your petition? ☐ YES ☒ NO

H. (a) If yes, (1) what was the result? N/A

(2) date of decision: N/A

(b) If no, explain briefly why not: I have not been convicted

I. Did you appeal, or seek leave to appeal this decision to the highest state court?

☐ YES ☒ NO

(a) If yes, (1) what was the result? N/A

(2) date of decision: N/A

(b) If no, explain briefly why not: I have not been convicted

I did however appeal or seek leave to appeal
pre-trial motions

2. With respect to this conviction or sentence, have you filed a petition in a **state court** using any other form of post-conviction procedure, such as *coram nobis* or habeas

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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corpus?

☐ YES ☒ NO

A. If yes, give the following information with respect to each proceeding (use additional sheets if necessary):

1. Nature of proceeding N/A
2. Date petition filed N/A
3. Ruling on the petition N/A
4. Date of ruling N/A
5. If you appealed, what was the ruling on the appeal? N/A
6. Date of ruling on appeal N/A
7. If there was a further appeal, what was the ruling? N/A
8. Date of ruling on appeal N/A

3. With respect to this conviction or sentence, have you filed a previous petition for habeas corpus in federal court? ☐ YES ☒ NO

A. If yes, give name of court, case title and case number: N/A

B. Did the court rule on your petition? If so, state

(1) Ruling: N/A

(2) Date: N/A

4. With respect to this conviction or sentence, are there legal proceedings pending in any court, other than this petition? ☒ YES ☐ NO

If yes, explain: The cases are still pending in Dupage County Circuit Court. I have not had my trial on the Dupage charges and Virginia charges. I am currently being held without bail awaiting trial on the charges I was extradited on from the fugitive from justice charge in Dupage & am also being held in Virginia on a Dupage warrant for the above referenced case.

PART III – PETITIONER'S CLAIMS

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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1. State briefly every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. You may attach additional pages stating additional grounds and supporting facts. If you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds later.

BEFORE PROCEEDING IN THE FEDERAL COURT, YOU MUST ORDINARILY FIRST EXHAUST YOUR STATE COURT REMEDIES WITH RESPECT TO EACH GROUND FOR RELIEF ASSERTED.

- (A) Ground one Right to a Speedy Trial
Supporting facts (tell your story briefly without citing cases or law):

1) Petitioner was held from March 17, 2017 to August 2018 consecutively without a trial when the case began and is still incarcerated without being waiting trial
2) Petitioner admonished trial in absentia before extradition to the Commonwealth of Virginia
3) Petitioner did not have a preliminary hearing
4) The court did not hold a trial on the charges before the expiration/statutory deadline under the speedy trial Act.

- (B) Ground two Right to bail Against Excessive bail
Supporting facts:

1) Petitioner was denied bail because of her national origin based on an ICE detainer unlawfully obtained
2) While Petitioner was incarcerated in Virginia the bond she posted was revoked for failure to appear in Illinois for a scheduled appearance.
3) The court refused to reinstate the bail upon knowledge petitioner missed court because she was incarcerated
4) Petitioner was denied accommodations to post bail because of the ICE detainer unlawfully obtained

- (C) Ground three Right against discrimination/Retaliation
Supporting facts:

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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- 1) Petitioner felt discriminated against being held without bail because of an ICE detainer
- 2) In retaliation to complaining about being denied bail because of an ICE detainer, a governor's warrant was unlawfully issued for her arrest to prevent her from posting bail
- 3) Petitioner was denied due process rights in retaliation to her discrimination complaint
- 4) Petitioner was unlawfully arrested in Lisle by Naperville Police Officers in retaliation to exercising right to counsel

(D) Ground four Right Against Cruel and Unusual Punishment
Supporting facts:

- 1) Petitioner was punished by serving time/ incarcerated on accusations she has not been tried and convicted of.
- 2) Petitioner was incarcerated without bail, punished by being deprived of her right to liberty without due process because of an ICE detainer in a state jail / in state custody
- 3) Petitioner was unlawfully extradited to Virginia without due process and incarcerated there for on false charges she has not been tried and convicted of.

2. Have all grounds raised in this petition been presented to the highest court having jurisdiction?

☒ YES ☐ NO

3. If you answered "NO" to question (2), state briefly what grounds were not so presented and why not:

N/A

PART IV – REPRESENTATION

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

- (A) At preliminary hearing Public Defender, I did not have a preliminary hearing
 (B) At arraignment and plea Public Defender
 (C) At trial N/A
 (D) At sentencing N/A
 (E) On appeal Pro Se
 (F) In any post-conviction proceeding N/A
 (G) Other (state): Michele Moore, Thedford Garber private attorneys

PART V – FUTURE SENTENCE

Do you have any future sentence to serve following the sentence imposed by this conviction?

☐ YES ☒ NO

Name and location of the court which imposed the sentence: N/A

Date and length of sentence to be served in the future N/A

WHEREFORE, petitioner prays that the court grant petitioner all relief to which he may be entitled in this proceeding.

Signed on: 8/22/23
 (Date)

N/A
 Signature of attorney (if any)

I declare under penalty of perjury that the foregoing is true and correct.

Yak
 (Signature of petitioner)

71282
 (I.D. Number)

Riverside Regional Jail
500 Folar Trail
A Prince George, VA 23860
 (Address)

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

UNITED STATES DISTRICT COURT

for the

LOIS YANKAH

Plaintiff/Petitioner

v.

STATE OF ILLINOIS

Defendant/Respondent

Civil Action No.

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS (Short Form)

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following questions under penalty of perjury:

1. *If incarcerated.* I am being held at: Riverside Regional Jail

If employed there, or have an account in the institution, I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months.

2. *If not incarcerated.* If I am employed, my employer's name and address are:

N/A

My gross pay or wages are: \$ N/A, and my take-home pay or wages are: \$ N/A per
(specify pay period) N/A

3. *Other Income.* In the past 12 months, I have received income from the following sources (check all that apply):

- | | | |
|--|---|--|
| (a) Business, profession, or other self-employment | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| (b) Rent payments, interest, or dividends | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (c) Pension, annuity, or life insurance payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (d) Disability, or worker's compensation payments | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (e) Gifts, or inheritances | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |
| (f) Any other sources | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

Amount received - \$24,000Amount expected to be received - N/A

AO 240 (Rev. 07/10) Application to Proceed in District Court Without Prepaying Fees or Costs (Short Form)

4. Amount of money that I have in cash or in a checking or savings account: \$ N/A.

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name *(describe the property and its approximate value)*:
N/A

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses *(describe and provide the amount of the monthly expense)*:
N/A

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support:
N/A

8. Any debts or financial obligations *(describe the amounts owed and to whom they are payable)*:
N/A

Declaration: I declare under penalty of perjury that the above information is true and understand that a false statement may result in a dismissal of my claims.

Date: 08/22/23



Applicant's signature

Lais Yankah

Printed name

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0001402699 AUG 25 2023



Clark

N.B. District Court

Northern District of Illinois

219 S Dearborn

Rm 1637

Chicago, IL 60604

Legal Mail

to Regional Trial
in Trial

George, VA 23860